

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LKQ CORPORATION and KEYSTONE
AUTOMOTIVE INDUSTRIES, INC.,

Plaintiffs,

v.

KIA AMERICA, INC. and
KIA CORPORATION,

Defendants.

Civil Action No. 1:21-cv-03166

The Honorable Nancy Maldonado

The Honorable Magistrate Sunil R. Harjani

PLAINTIFFS' UNOPPOSED MOTION TO SEAL

Pursuant to Local Rule 26.2, Plaintiffs LKQ Corporation and Keystone Automotive Industries Inc. (collectively, “LKQ”) file this Motion to Seal and respectfully request leave of Court to file the following documents under seal:

- Plaintiffs’ Memorandum in Support of Their Opposed Motion to Deem Admitted Certain Requests for Admission;
- Exhibit 2 to the Declaration of Michael P. Bregenzer, a true and correct copy of Kia’s responses to LKQ’s Requests for Admission Nos. 1108-1112, 1147-1151, 1186-1190, 1221-1225, 1256-1260, 1291-1295, 1326-1330, 1361-1365, 1396-1400, 1431-1435, 1466-1470, 1501-1505, 1536-1540, and 1571-1575;
- Exhibit 4 to the Declaration of Michael P. Bregenzer, a true and correct copy of Kia’s responses to LKQ’s Requests for Admission Nos. 1004-1036; and
- Exhibit 9 to the Declaration of Michael P. Bregenzer, a true and correct copy of Kia’s responses to LKQ’s Interrogatory No. 2.

All of the above materials include information that Kia has designated as “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” under the governing Protective Order. Dkt. No. 53.

On December 20, 2022, LKQ reached out to counsel for Kia requesting that Kia (1) designate the foregoing materials or (2) provide LKQ with the required good cause to seal these materials for the instant motion to seal. On December 21, 2022, counsel for Kia responded.

According to Kia:

Good cause exists to grant LKQ's Motion to Seal. The above-referenced discovery requests and response include "research, technical, commercial or financial information" that Kia has consistently maintained as confidential under the Protective Order. See Dkt. 55 at 1. Specifically, Kia's response to Interrogatory No. 2, contains information regarding Kia's confidential RFQ process for selecting the manufacturer of the products at issue, including dates and recipient companies, as well as information regarding Kia's research clinics conducted during development of certain Kia vehicles. Similarly, Requests for Admission Nos. 1004-1036, 1108-1112, 1147-1151, 1186-1190, 1221-1225, 1256-1260, 1291-1295, 1326-1330, 1361-1365, 1396-1400, 1431-1435, 1466-1470, 1501-1505, 1536-1540, and 1571-1575 also contain information regarding Kia's research clinics conducted during development of certain Kia vehicles. Kia has consistently maintained this information as confidential under the Protective Order and granting leave to file under seal is appropriate.

In light of the above, Plaintiffs respectfully request that the Court grant its motion to file the documents listed above under seal.

Dated: December 22, 2022

Respectfully submitted,

By: /s/ Michael P. Bregenzer
Barry F. Irwin, P.C.
Michael P. Bregenzer
Robyn Bowland
Jason J. Keener
Edward Runyan
Nicholas K. Wheeler
Daniel Zhang
Andrew Choi
IRWIN IP LLC
150 N. Wacker Drive, Suite 700
Chicago, IL 60606
Tel.: (312) 667-6080
birwin@irwinip.com
mbregenzer@irwinip.com
rbowland@irwinip.com
jkeener@irwinip.com
erunyan@irwinip.com
nwheeler@irwinip.com
dzhang@irwinip.com
achoi@irwinip.com

*Attorneys for Plaintiffs LKQ
Corporation & Keystone Automotive
Industries, Inc.*

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served via ECF on December 22, 2022 upon all counsel of record.

/s/ Gloria Rios

Gloria Rios